

REMARKS

Careful consideration has been given to the Official Action of January 28, 2008 and reconsideration of the application is respectfully requested.

Applicants do not agree with the Examiner that the deletion of the terms “with a diameter less than or equal to 0.61mm” from the Background of Invention involves any departure from the disclosure of the application as filed since original paragraph 0018 and original claim 6 made it clear that no AOAPA was intended. Nevertheless, the Examiner’s refusal to enter the amendments to the specification has been noted.

Claim 24 stand objected to because of a typographical error. This error has been corrected.

Claims 1-2, 4, 6, and 8-20 stand rejected under 35 USC 103(a) as being allegedly unpatentable over Rost (Patent No. 2,123,746) in view of what the Examiner contends is Applicant’s Own Admission of Prior Art (AOAPA).

Claims 22-23 stand rejected under 35 USC 103(a) as being allegedly unpatentable over Chase (Patent No. 1,370,731) in view of AOAPA.

In response, claims 1 and 8 have been amended. Claims 2, 9, and 10 have been canceled.

The claims as now presented are patentable over the cited references as will be discussed hereafter.

As previously discussed, the claimed invention is directed to a low-tension metallic electrical conductor.

In contrast, Rost is directed to insulating a high-tension cable (column 1, line 3, 14-15, 44; column 3, line 38; column 4, line 16). Similarly, Chase is directed to “cables for high-voltage power work” (column 1, line 11).

One skilled in the art would not look to the high-tension and high-voltage cables of Rost and Chase when solving the technical problems of the present application because the high-tension and high-voltage cables have very different requirements than low-tension and low-voltage cables.

For example, the cross-sectional area of each wire is an important factor for determining its current-carrying capacity and electrical resistance. As current is directly proportional to the voltage and cross-sectional area, it would not be practical to use a high number of the fine wires (having a diameter of equal to or less than 0.61mm) to obtain a high-tension conductor.

In fact, to substitute the high-tension conductor with the conductor comprising fine wires as recited in the claimed invention would fundamentally change the principle of

operation of the conductors of Rost or Chase because they would no longer be suitable for high tension conductance. Therefore, it is respectfully submitted that there would have been no motivation or reason to modify the references as proposed by the Examiner. See MPEP 2143.01 (V) (“If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification.”); see, also, 2143.01 (VI) (“If the proposed modification or combination of change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious.”).

In any event, it is not possible to derive from Rost that “Rost discloses a metallic conductor (1b) capable of being a low tension electrical conductor” as contended by the Examiner in the last line of page 4 of the Official Action.

It is noted that IEC 60228 defines four groups, of which groups 1 and 2 include rules applied to non-fine wires and groups 5 and 6 include rules applied to fine wires.

For example, for an electrical cross-section area of 500 mm²:

Class 2: number of single wires of stranded conductor $61 \times$ diameter of each wire 3.23 mm.

Class 5: number of individual wires $1768 \times$ diameter of each wire 0.6mm.

The claimed invention provides a conductor which can reduce the overall physical

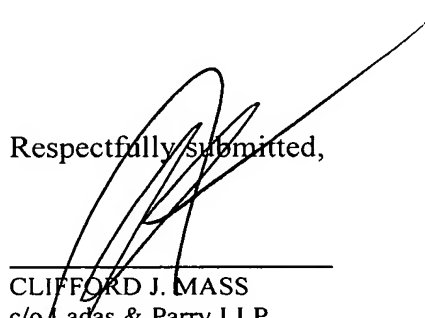
cross-section area of the cable corresponding to class 5 or 6 of IEC 60228 while retaining their electrical features. That is, cables complying with class 5 or 6 may be installed in installations where cables of class 1 or 2 were required.

It is also noted that wires having a large diameter are able to keep a specific shape alone since these types of wires are non-fine and non-flexible and are thus rigid or semirigid. However, fine wires cannot keep a specific shape alone. Therefore, they require means or layer to keep a specific shape.

Rost, being concerned with insulation problems of high-tension conductors (column 1, lines 37-42), is not at all concerned with the technical problems of the claimed invention as discussed above and, in the absence of the hindsight provided by the present application, there would be no motivation or reason to combine Rost with AOAPA in the matter proposed by the Examiner.

In view of the above action and comments, favorable reconsideration of the application as amended is earnestly solicited.

Respectfully submitted,



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